

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33850 of 2015

Arising Out of PS.Case No. -106 Year- 2012 Thana -SRINAGAR District- WEST CHAMPARAN
(BETTIAH)

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ARBIND MAHTO @ ARVIND KUMAR son of Ram Lal Mahto Resident
of Village - Pujahan Patjeerwa, Police Station - Shri Nagar Pujhan,
District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Renuka Ratnakar (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 29-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

This application is filed for grant of provisional bail
of the petitioner in connection with Sessions Trial No. 566 of 2013
arising out of Shri Nagar Pujahan P.S. Case No. 106 of 2012
registered under sections 148, 149, 307, 302 of the I.P.C. and
under section 27 of the Arms Act pending in the Court of Vith
Additional District & Sessions Judge, West Champaran at Bettiah.

Learned counsel appearing on behalf of the petitioner
submits that earlier prayer of the petitioner for bail was rejected
vide Cr. Misc. No. 40589 of 2013 on 06.01.2014 by this Court on
merit. The petitioner is in custody for a period of more than two

years. It is further submitted that at present, petitioner has prayed for provisional bail for six weeks on the ground that his mother is suffering from jaundice and she has been referred to AIIMS, New Delhi for treatment. The petitioner has only one younger brother aged about 12 years and his father is uneducated person. As such, the petitioner is only educated person in his family and can take to his mother at AIIMS, New Delhi for treatment.

Admittedly, prayer of the petitioner for bail was earlier rejected taking into consideration the direct allegation to shot fire at the chest of the deceased and father the petitioner is alive. As such, I do not find any merit in this application to consider the prayer of the petitioner for provisional bail on the ground of taking his mother for treatment at AIIMS, New Delhi.

Accordingly, this application for grant of provisional bail is rejected.

(Rajendra Kumar Mishra, J.)

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